IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR

Civil Application No.6562 of 2007
In
Misc. Civil Application (Review) Stamp No.14146 of 2007
In
W.P.No.3704 of 1997 (Decided)

(Omprakash s/o Rajendra Prasad and others v. Western Coal Fields Ltd., and others)

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Office Notes, Memoranda of Coram, appearances, Court's orders or directions : Court's or Judge's orders and Registrar's orders.

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Shri N.K. Dwivedi, Advocate for the Applicants.
Shri S.C. Mehadia, Advocate for Non-Applicant Nos.1 to 3.

CORAM : K.J. Rohee & R.C. Chavan, JJ.
DATE : 26th November, 2007

1. Heard the learned counsel for the parties.

2. Writ Petition No.3704 of 1997 was filed by the applicants/petitioners for quashing of their termination, for grant of back wages, and for other consequential reliefs. By order dated 12-9-2003 passed in the said writ petition, a Division Bench of this Court quashed the termination and directed reinstatement of the petitioners. The order specifically mentions that no back wages were granted. Thereafter, the petitioners filed another writ petition bearing No.1589 of 2007, a copy of which is on page no.39 as Annexure-A5. It would be seen that prayer clause (1) in the subsequent writ petition claims the same relief, which was specifically denied by the order in the earlier writ petition. Now the petitioners seek review of the earlier order dated 12-9-2003 and for that purpose, the petitioners pray for condonation of delay of 1410 days. The

contents of the application moved by the petitioners clearly show that during the course of arguments, the petitioners' lawyer gave up the claim for back wages and on the basis of the said concession, the order came to be passed.

3. Thus, we find that there is no cause, muchless sufficient cause for condoning delay.

4. The application is, therefore, rejected.

JUDGE JUDGE

pdl